

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1783 Session of
2017

INTRODUCED BY SOLOMON, KINSEY, McNEILL, YOUNGBLOOD, RABB, DAVIS,
V. BROWN, KAUFER AND MADDEN, SEPTEMBER 14, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 14, 2017

AN ACT

1 Amending the act of June 3, 1937 (P.L.1333, No.320), entitled
2 "An act concerning elections, including general, municipal,
3 special and primary elections, the nomination of candidates,
4 primary and election expenses and election contests; creating
5 and defining membership of county boards of elections;
6 imposing duties upon the Secretary of the Commonwealth,
7 courts, county boards of elections, county commissioners;
8 imposing penalties for violation of the act, and codifying,
9 revising and consolidating the laws relating thereto; and
10 repealing certain acts and parts of acts relating to
11 elections," in qualifications of electors, further providing
12 for qualifications of electors at primaries; in party
13 organization, further providing for only enrolled electors to
14 vote at primaries or hold party offices; in nomination of
15 candidates, further providing for candidates to be nominated
16 and party officers to be elected at primaries; and, in
17 preparation for and conduct of primaries and elections,
18 further providing for manner of applying to vote, persons
19 entitled to vote, voter's certificates, entries to be made in
20 district register, numbered lists of voters and challenges.

21 The General Assembly of the Commonwealth of Pennsylvania
22 hereby enacts as follows:

23 Section 1. Sections 702, 802, 902 and 1210(d) of the act of
24 June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania
25 Election Code, are amended to read:

26 Section 702. Qualifications of Electors at Primaries.--The
27 qualifications of electors entitled to vote at primaries shall

1 be the same as the qualifications of electors entitled to vote
2 at elections within the election district where the primary is
3 held, provided that no elector who is not registered [and
4 enrolled as a member of a political party], in accordance with
5 the provisions of this act, shall be permitted to vote the
6 ballot of [such party or] any [other] party [ballot] at any
7 primary.

8 Section 802. Only Enrolled Electors to [Vote at Primaries
9 or] Hold Party Offices.--No person who is not registered and
10 enrolled as a member of a political party shall be entitled to
11 [vote at any primary of such party or to] be elected or serve as
12 a party officer, or a member or officer of any party committee,
13 or delegate or alternate delegate to any party convention.

14 Section 902. Candidates to Be Nominated and Party Officers
15 to Be Elected at Primaries.--All candidates of political
16 parties, as defined in section 801 of this act, for the offices
17 of United States Senator, Representative in Congress and for all
18 other elective public offices within this State, except that of
19 presidential electors, shall be nominated, and party delegates
20 and alternate delegates, committeemen and officers who, under
21 the provisions of Article VIII of this act or under the party
22 rules, are required to be elected by the party electors, shall
23 be elected at primaries held in accordance with the provisions
24 of this act, except as otherwise provided in this act. In the
25 years when candidates for the office of President of the United
26 States are to be nominated, every registered [and enrolled
27 member of a political party] elector shall have the opportunity
28 at the Spring primary in such years to vote [his] a preference
29 for one person to be the candidate of [his] a political party
30 for President.

1 Section 1210. Manner of Applying to Vote; Persons Entitled
2 to Vote; Voter's Certificates; Entries to Be Made in District
3 Register; Numbered Lists of Voters; Challenges.--* * *

4 (d) (1) No person, except a qualified elector who is in
5 actual military or naval service under a requisition of the
6 President of the United States or by the authority of this
7 Commonwealth, and who votes under the provisions of Article XIII
8 of this act, shall be entitled or permitted to vote at any
9 primary or election at any polling place outside the election
10 district in which [he] the person resides, nor shall [he] the
11 person be permitted to vote in the election district in which
12 [he] the person resides, unless [he] the person has been
13 personally registered as an elector and [his] the person's
14 registration card appears in the district register of such
15 election district, except by order of the court of common pleas
16 as provided in this act, and any person, although personally
17 registered as an elector, may be challenged by any qualified
18 elector, election officer, overseer, or watcher at any primary
19 or election as to [his] the person's identity, as to [his] the
20 person's continued residence in the election district or as to
21 any alleged violation of the provisions of [section 1210 of this
22 act] this section, and if challenged as to identity or
23 residence, [he] the person shall produce at least one qualified
24 elector of the election district as a witness, who shall make
25 affidavit of [his] the person's identity or continued residence
26 in the election district: Provided, however, That no person
27 shall be entitled to vote as a member of a party at any primary,
28 unless [he] the person is:

29 (i) registered and enrolled as a member of such party upon
30 the district register, which enrollment shall be conclusive as

1 to [his] party membership and shall not be subject to challenge
2 on the day of the primary[.]; or

3 (ii) registered with a designation "none" on an official
4 Department of State registration form and upon the district
5 register. Those electors may vote in a primary election in the
6 same manner as a general election.

7 (2) The Pennsylvania Department of State shall take all
8 necessary steps to effectuate the provisions of this section.

9 * * *

10 Section 2. This act shall take effect in 90 days.